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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

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In re application of: Ho et al.

**PATENT**  
Attorney Docket No.: 202-Cont2

Application No.: 10/692,274

Examiner: Cheng, Joe H.

Filed: October 22, 2003

Group: 3715

Title: Inexpensive computer-aided learning  
methods and apparatus for learners**RECEIVED**  
**CENTRAL FAX CENTER****AUG 09 2006****Mail Stop Amendment**  
**Commissioner for Patents**  
**P.O. Box 1450**  
**Alexandria, VA 22313-1450****INFORMATION DISCLOSURE STATEMENT**  
**37 CFR §§1.56 AND 1.97(b)**

Dear Sir:

Applicants submitted an Information Disclosure Statement with a corresponding set of documents for the above-identified application on December 16, 2005, regarding SumTotal Systems, Inc.'s notice of motion, motion for summary judgment of invalidity, a declaration of A. James Federico, and Exhibits A-T (hereinafter the "Motion Documents"). The Motion Documents were produced by SumTotal Systems, Inc., during the litigation of a number of patents, including U.S. Patent Numbers 6,126,448; 6,398,556; and 6,685,478 (hereinafter the "SumTotal Litigation"). Though the Motion Documents were received by the Patent Office on December 20, 2005, during the examination of the present application, the Examiner's consideration of the Motion Documents has not been acknowledged.

To expedite the prosecution of the present application, Applicants have included herewith a Form 1449 re-listing the Motion Documents. In the Form 1449, a number of documents are listed as having a date that was alleged by SumTotal Systems, Inc. to be before July 6, 1997 (shown as "Allegedly before July 6, 1997"). These dates were not

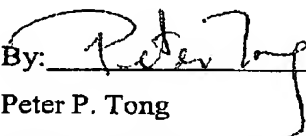
~~adjudicated due to the settlement of the SumTotal Litigation, and Applicants reserve the~~  
right to challenge such dates.

Applicants respectfully request that the Examiner indicates consideration of the Motion Documents by initialing the documents listed in the Form 1449.

This Information Disclosure Statement is submitted under 37 CFR 1.97 (b), before mailing date of first office action on the merits. Applicants are aware of the Motion Documents cited on the attached Form 1449, which Applicants believe may be material to the examination of this application and for which there may be a duty to disclose in accordance with 37 CFR 1.56. As indicated in 37 CFR 1.98(d), copies of the Motion Documents are not provided herewith because they were previously cited by and submitted to the Office by Applicants.

Respectfully submitted,

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By:   
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**PATENT APPLICATION**

FORM PTO-1449  LIST OF PATENTS AND PUBLICATIONS FOR APPLICANT'S INFORMATION DISCLOSURE STATEMENT  (Use several sheets if necessary)	ATTY. DOCKET NO. <b>202-Cont2</b>	SERIAL NO. <b>10/692,274</b>
	APPLICANT <b>Ho et al.</b>	
	FILING DATE <b>10/22/2003</b>	GROUP <b>3715</b>

**REFERENCE DESIGNATION U.S. PATENT DOCUMENTS**

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS

**FOREIGN PATENT DOCUMENTS**

DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS

**OTHER REFERENCES/DOCUMENTS (including Author, Title, Date, Pertinent Pages, etc.)**

	SunTotal Systems, Inc.'s notice of motion and motion for summary judgment of invalidity	2005
	Declaration of A. James Federico	2005
	Ingenium 1.0 (Exhibit A)	Allegedly before July 6, 1997
	Ingenium 2.0 (Exhibit B)	Allegedly before July 6, 1997
	Click2Learn, Inc. Form 10-K for the year ending December 31, 2002 (Exhibit C)	2003
	What is Meliora? (Exhibit D)	Allegedly before July 6, 1997
	Ingenium for Windows, the Intelligent Training Management Software (Exhibit E)	Allegedly before July 6, 1997
	Announcing Ingenium Messenger. (Exhibit F)	Allegedly before July 6, 1997
	Ingenium 3.0 Pricing. (Exhibit G)	Allegedly before July 6, 1997
	Messenger Features and Functionality from Meliora Systems website (Exhibit H)	Allegedly before July 6, 1997
	IPL Disclosure of Asserted Claims and Preliminary Infringement Contentions (Exhibit I)	2004
	IPL Supplemental Disclosure of Asserted Claims and Preliminary Infringement Contentions (Exhibit J)	2004
	Joint Claim Construction and Pre-Hearing Statement per Patent L.R. 4-3 (Exhibit K)	2005
	New Features for Ingenium 2.0 (Exhibit L)	Allegedly before July 6, 1997

	Ingenium for Windows v. 1.0 Order Form (Exhibit M)	Allegedly before July 6, 1997
	Ingenium v. 2.0 Pricing (Exhibit N)	Allegedly before July 6, 1997
	Ingenium for Windows Standard Software Support Program Renewal Agreement (Exhibit O)	Allegedly before July 6, 1997
	Thomson NETg-History and CBT Systems Definition (Exhibit P)	Allegedly before July 6, 1997
	Uncertified rough draft deposition transcript of William Horton (Exhibit Q)	2005
	Ingenium In-House Training Class Attendance (Exhibit R)	Allegedly before July 6, 1997
	Developing Corporate Talent: New Technologies and Best Practices (Exhibit S)	Allegedly before July 6, 1997
	Ingenium for Windows, Customer List (Exhibit T)	Allegedly before July 6, 1997
EXAMINER		DATE CONSIDERED